

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5450, as amended by the Science Committee. H.R. 5450, the National Oceanic and Atmospheric Administration Act, is an organic act for NOAA. An organic act defines the overall mission and function of an agency.

In 1970, President Nixon established NOAA in the Department of Commerce by executive order. Since that time, Congress has not passed an organic act for NOAA, and today NOAA's authorities come from over three dozen issue-specific laws.

Some years ago I decided this was an intolerable situation, and we began work on an organic act. In 2004, the U.S. Commission on Ocean Policy, a nonpartisan group of the Nation's leading ocean experts, recognized this lack of congressional direction for NOAA as an impediment to the agency's vital legislative role.

The Commission strongly recommended that Congress pass a NOAA organic act. We in Congress need to provide NOAA and its employees clear direction and the tools they require to perform critical missions and functions that affect the everyday lives of all Americans, including weather forecasts and storm warnings from the National Weather Service and alerts from the National Ocean Service about dangerous conditions such as toxic algae blooms or even tsunamis.

In response to this need, I introduced the National Oceanic and Atmospheric Administration Act. My bill gives NOAA a clear mission so it can more effectively set program goals. For example, my bill states that the mission of NOAA is to first understand and predict changes in the Earth's oceans and atmospheres conserve and manage coastal, ocean and Great Lakes ecosystems, and educate and inform our fellow citizens about these topics.

H.R. 5450 then directs NOAA to reorganize so it can more efficiently accomplish this mission. Based on recommendations of the U.S. Commission on Ocean Policy, my bill establishes NOAA within the Department of Commerce and requires NOAA to restructure so it may improve the way it carries out the critical functions of operations and services, research and education, and resource management.

In addition, H.R. 5450 strengthens science at NOAA by creating a new Deputy Assistant Secretary for Science and Education, authorizing a science advisory board, requiring a National Academies' assessment of the agency's data and information systems, and directing NOAA to develop a strategic plan for its research programs.

Valuable input from my colleagues on the Science Committee from both parties further strengthened congressional oversight provisions of H.R. 5450, and the bill now includes a provision to ensure that NOAA does not get in over its head with large programs such as building weather satellites.

This provision requires NOAA to use more streamlined and transparent cost baselines for major programs, and to notify Congress when there are significant cost increases or schedule delays in major procurement programs.

Passage of an organic act for NOAA is a top priority for both the U.S. Commission on Ocean Policy and the privately funded Pugh Ocean Commission.

The administration, States, and numerous advocacy groups have also expressed support for the NOAA organic act. H.R. 5450 has widespread and bipartisan support. The bill incorporates ideas from a range of experts and from Members on both sides of the aisle. Everyone recognizes this bill is not a complete organic act because it omits issues solely in the jurisdiction of the House Resources Committee.

Mr. Speaker, I believe we all share the goal of seeing a complete bill. I thank all of my colleagues who contributed to this bill as well as those who continue to express support. In particular I want to thank Mr. *Udall*. He was a ranking member of my subcommittee when we first started working on this bill.

I also want to thank Mr. *Wu*, the current ranking member of my subcommittee, and Mr. *Gordon*, the ranking member of the full committee, for their help and input throughout the process.

Additionally, I thank Mr. *Gilchrest* who has been an outstanding leader on ocean issues and an original cosponsor of this bill, and he has been invaluable with his input. Finally I would especially like to thank Chairman *Boehlert*, also an original cosponsor, for his unwavering support and commitment to moving this bill through the process. Chairman *Boehlert* has long been a strong champion for the sciences and science-based decision making envisioned in H.R. 5450, and we will greatly miss his leadership on these issues.

H.R. 5450 will make NOAA stronger and more capable of doing its job to keep us safe, understand our environment, and manage our coastal and marine resources.

This bill is an important step forward for ocean issues. And I look forward to continuing to work with my colleagues here in the House and in the Senate to get a final bill that is clear, well balanced and complete. I urge my colleagues to support H.R. 5450

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today, the NOAA Organic Act, is a product of diligent work of the Science Committee and the gentleman from Michigan.

Representative *Ehlers* has been a tireless champion of this legislation. H.R. 5450 maintains the National Weather Service as a distinct office within NOAA. The National Weather Service, with its nationwide distribution of local forecast offices, is one of the best known and most trusted organizations within NOAA.

The public relies upon the weather service to provide the watches and warnings of severe storms that enable us to prepare for those events and reduce the loss of lives and property.

In the area of satellite acquisition, we are requiring the administrator of NOAA to notify Congress whenever a satellite acquisition deviates substantially from its projected cost and schedule.

H.R. 5450 establishes a process of review and revision for satellite acquisition programs to avoid future problems of runaway cost and schedule delays. Chairman *Boehlert* and Chairman *Ehlers* worked with us to produce this legislation. We did not always agree, but we often agreed, and the bipartisan cooperation between the members of this committee produced a good outcome for the program.

Unfortunately, the Resources Committee failed to conduct a similar process. H.R. 5450 provides virtually no direction for the ocean and coastal resources programs of the agency.

I know this is a disappointment to the many Members of Congress who were hoping to see some of the recommendations of the 2004 Ocean Commission's report incorporated into this legislation. This is truly a missed opportunity. We have little time left in this Congress. Perhaps the other body will be able to work cooperatively to fill in the gaps of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. *Boehlert*).

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 5450. Virtually every group that has looked at ocean issues has concluded that the National Oceanic and Atmospheric Administration would be able to function better if it had a clear basis in law. That is what this bill, an organic act, would provide.

It would give this key science agency, which was created by executive order, a firm legal basis for its full range of activities and responsibilities. That is hard to argue with.

The bill, which was introduced by Dr. *Ehlers*, who has been its tireless champion, would also strengthen science at NOAA, pretty darn important, which makes sense, since NOAA is a major science agency. The bill also would greatly improve oversight of the agency by ensuring that Congress and the public get the information needed to evaluate NOAA's organizational structure, its facilities plan, its budgeting and its satellite programs.

As usual, this bill is the result of bipartisan cooperation on the Science Committee, and I am very proud of that. I commend my colleagues on both sides of the aisle for their hard work on this legislation.

We obviously have more work to do before this bill is enacted, including work with our colleagues who have jurisdiction over NOAA's resource management programs, such as fisheries. We want an organic act that covers all of NOAA's activities.

But this is a good start, a solid bill that will strengthen the agency, which will only improve the important services NOAA provides to our citizens. I urge my colleagues to support H.R. 5450. Once again, let me commend Dr. *Ehlers* for his leadership on this very important issue, and let me commend the minority side for their outstanding cooperation and, in many instances, their leadership too.

Mr. GORDON. Mr. Speaker, we are all part of our districts, and we all think that our districts are one of the prettiest places in the world. Just one of us represents a little prettier place than the rest of us.

Mr. Speaker, I yield 2 minutes from the man from Monterey, Big Sur, Pebble Beach, and a great deal of Highway No. 1, and that is the gentleman from California (Mr. *Farr*).

Mr. FARR. Thank you for that kind yielding.

Mr. Speaker, I rise for a good ``half a bill." This deals with NOAA, also known as the National Oceanic and Atmospheric Administration. But this bill drops the ``O" for oceanic and becomes a NAA bill. That is because the Resources Committee that has jurisdiction over oceans failed to deal with this bill. It has failed to deal with the President's Commission on Oceans, has failed to address any of this in the last years and has failed to address the need for oceans in this bill.

So the Science Committee had no choice but to bring you the NAA bill. I am going to vote ``yea" on NAA because it has a good bipartisan leadership,

and it comes from a Science Committee that understands that the Planet Earth needs oceans in order to create weather, and this bill on oceans becomes unadministerable. Thank goodness for bipartisan, bicameral legislation, because this bill will not see the light of day without oceans having a great part of it.

The other side is that with NOAA, the problems that we see here in Congress are created in the oceans, fisheries and so on, and we have not been funding the ocean side of it. There is international law of the sea, there are international oceans, years, there are all kinds of commissions and groups supporting oceans, yet Congress fails to address it. I commend the bipartisan leadership of getting NOAA in an organic act, but I wish they would include the oceans

Mr. EHLERS. Mr. Speaker, I yield myself 30 seconds to respond to the gentleman from California.

I am in wholehearted agreement with his sentiments. I want to see a complete bill. The bill before us is a good bill. It deals with the physical sciences portion of NOAA. It has taken us almost 6 years to create this bill, work out all the details with all interested parties, including both political parties. It is a good bill, but it will be improved when we get the oceans portion.

I would hope that we can do it yet before the end of the year. If not, I will pledge to the gentleman from California, and anyone else, I will be happy to continue working on achieving that goal.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. *Gilchrest*), who has been invaluable in addressing oceans issues in this particular body.

Mr. GILCHREST. I thank the gentleman for yielding.

Mr. Speaker, I would like to speak to a couple of items here. One, to the gentleman from California, Mr. *Farr*, as far as who has the prettiest district in the country, I would like to invite Mr. *Farr* from California to ply the placid waters of the Sassafras River and enjoy either a dawn or sunset in a canoe as we go past the marsh and beautiful forested areas along the coastal Chesapeake Bay. He just accepted my invitation, so I appreciate that.

I also have some understanding of where Mr. *Farr* comes from, as far as dealing with the organic act and the National Oceanic and Atmospheric Administration, including what we can call the wet side and the dry side of NOAA. As we move forward with this legislative agenda and this process with the bill that Mr. **VERN EHLERS** brings to us today, I want to say two things as far as this bill is concerned.

Number one, Mr. *Ehlers* has not only worked for 6 years on this issue, Dr. **EHLERS** has worked 10 years on the idea that the National Oceanic and Atmospheric Administration that was created by executive order in 1970 by President Richard Nixon needs, as Mr. *Boehlert* defined, a specific direction and order prescribed by the U.S. Congress, so that it has a definitive, objective goal that Members of Congress can pursue a specific oversight agenda for. Dr. **EHLERS** has worked very strongly with both sides of the aisle to bring this bill before us today.

Now, there is a small piece that we can add to this as the process continues, as Dr. **EHLERS** said. We will add the fisheries and the oceans side of NOAA as we move along. But this bill before us today is a piece of legislation that provides the direction that Congress needs to set goals and be a part of the agenda of an administration to ensure that the Nation has the kind of satellites to give us the kind of weather reports that will enhance local reporting and save literally billions of dollars on our understanding of weather patterns, of hurricanes and things of that nature. It also has an understanding of the coastal ecology in this particular part of the bill.

What this bill does, and we will include as soon as we can the oceans part of this bill, but what this bill does is literally recognize that there are trillions of dollars tied up in satellite communication, in the private sector communication of satellites, and a whole host of other areas that will give us an understanding of marine research, of how the oceans affect the climates.

I urge my colleagues, as we move along in this process, this bill that Dr. **EHLERS**, in a bipartisan fashion, has brought to the House floor today be voted on.

Mr. GORDON. We have no speakers at this time. I don't yield back my time, but I yield to the gentleman from Michigan (Mr. *Ehlers*).

Mr. EHLERS. I thank the gentleman from Tennessee. I will, first of all, enter the sweepstakes for the most beautiful place in the United States and invite everyone to the western coast of Michigan on the Great Lakes of Lake Michigan.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. *Mario Diaz-Balart*).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I thought the chairman was going to speak about Florida when he spoke about the most beautiful place in the country.

Mr. Speaker, I rise in strong support of H.R. 5450 introduced by Chairman **EHLERS**, who has done a great deal in bringing this bill forward. I think we all know what this bill does: establishes under law NOAA, within the Department of Commerce, and provides a leadership structure and an

organization for NOAA and establishes, obviously, NOAA's mission and functions.

I represent and live, am blessed to live and represent a peninsula, an area that is greatly affected by weather, whether it is in the oceans or whether it is by storms. NOAA, as we all know, includes many important agencies, including the National Weather Service, the National Marine Fisheries Service and also the National Hurricane Center. All of those areas are of great interest to the citizens of the State of Florida, and impact, their work impacts the economy and citizens of Florida.

South Floridians consistently rely on NOAA and on the National Hurricane Center for information, particularly, again, during this time of the year. Year after year the hurricane center has served as a trusted voice during a storm and maintains a continuous watch on the weather around the world. It issues warnings and watches and forecasts and analyzes the weather to make sure that it can stay in front of the technology so that it continuously does a better job in forecasting storms.

Very few agencies around the country can say that their work is indispensable in actually saving lives, and the weather center is one of those.

There are so many oceanic and academic and environmental groups that have expressed support for this legislation. I want to thank the chairman for bringing this bill forward. I want to thank him for his effort. I urge all of my colleagues to support this fine piece of legislation.

Mr. EHLERS. Mr. Speaker, if the other side has no further speakers, I am prepared to close.

Mr. GORDON. Mr. Speaker, we have no other speakers. We yield back the balance of our time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I want to note that NOAA reaches into the lives of nearly every citizen of this country, from the weather forecasts that people use to decide if they need an umbrella, or if they have to go to the basement to avoid a tornado, to the safety of our seafood and drought predictions of the way we grow our food and manage our reservoirs. This bill will give NOAA the tools and directions they need to continue to serve our Nation in the coming decades, and I look forward to their continued progress.

Very few people realize the importance of NOAA and how it affects their lives. They take the weather forecast for granted. In fact, many are unaware that the information that comes over the radio or as seen on television is provided by NOAA. I recall the famous case of someone who said we should stop funding NOAA because they get more information from their TV

broadcast than they do from the National Weather Service, failing to recognize the important work that NOAA does.

This bill will give NOAA the tools and direction they need to continue to serve our Nation in the coming decades and to meet the challenges of the future. I look forward to the continued progress in NOAA.

Let me mention one other side issue. Just last week we had the Mark Trail program in the Cannon Office Building where awards were given for people who are making use of the automatic weather warning system. I don't know if Members are aware of it, but you can buy a simple little radio to keep at your bedside, as I do. If there are any weather alerts during the night when we are sleeping and don't hear the sirens, the radio will wake us up and give us the alert. Every American should have that, just as every American should have a fire alarm or smoke detector in their home.

Let me take just a moment to thank the Science Committee staff who worked so hard over an almost 6-year period to make this bill possible. David Goldston, chief of staff of the Science Committee; Amy Carroll, staff director for the subcommittee I chair; Chad English, heavily involved in this issue; Sara Gray and Jason Patlis, as well as Eric Webster. Sara is present here also. She provided legal services. Jason is one of the new leaders of the Science Committee staff. Eric Webster, was invaluable in starting the research on and writing of this bill; unfortunately, he did it so well and learned so much about NOAA that they hired him, and we lost him.

Without the hard work of all of these staff members, their selfless dedication, and many long hours, we would not be here considering this bill.

Finally, I would also like to recognize Mr. *Gordon's* staff, who worked so closely with us throughout the process. They were invaluable in helping us perfect the bill, and we all worked with a good spirit of cooperation, and even the committee action on this bill was marked by agreement on the importance of the issue.

I urge all of my colleagues to vote for H.R. 5450, as amended.

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Mr. PALLONE. Mr. Speaker, I rise to express my serious concerns about the process and manner by which this legislation has arrived on the House floor today.

The fact of the matter is that despite the laudable work that the Science Committee has done to develop legislation codifying the National Oceanic and Atmospheric Administration, this bill represents only half of what we need to develop a real organic act for the agency.

The Republican leadership has chosen to bring H.R. 5450 to the floor without the Resources Committee taking any action on its sequential referral. While the Science Committee's bill deals with the atmospheric or so-called ``dry'' side of NOAA, the Resources Committee has jurisdiction over ocean and coastal programs, known as the ``wet'' side.

This inaction is further evidence that when it comes to protecting our oceans, the House Republican leadership and the Resources Committee majority have nothing to show for themselves.

Mr. Speaker, in 2003 the Pew Oceans Commission put out a comprehensive report telling us that our oceans were in serious trouble. Many on the other side of the aisle disparaged the report. But a year later, the Congressionally chartered U.S. Commission on Ocean Policy released a separate report and came to the same basic conclusion--that our oceans are in peril from degraded waters, compromised resources, and conflicts between man and nature--and that immediate action is needed to restore the environment and protect our ocean and coastal related economy. They laid out some pretty pointed and thoughtful recommendations for Congress.

Two years later, however, the House and the Resources Committee have done virtually nothing in response to these recommendations. Rather than developing a cohesive, bipartisan strategy to evaluate the Commission's recommendations, they have effectively blocked meaningful oversight on oceans issues.

The Subcommittee on Fisheries and Oceans has held exactly one hearing on the US Ocean Commission's recommendations. Neither the Subcommittee nor the full Resources Committee have done anything to take serious action on the report's findings despite repeated requests from myself and others.

Today, in the face of the Resources Committee's disinterest in oceans issues and its inability to report its own version of H.R. 5450, we are now forced to consider a bill that may be well intentioned, but is nonetheless seriously flawed.

The truth is we have wasted the past two years when we should have taken action. Our oceans are a tremendous resource for this nation. Fishermen, beachgoers, coastal business owners, and many others in my district know this. They expect me and other members of Congress to be working on the problems facing our oceans, and I agree. Rather than passing half a bill, we should be taking serious action in response to ocean commission recommendations.

Mr. Speaker, members might vote for this bill because they support NOAA and want to move forward on an organic act. But no one should be fooled into thinking that the House has properly done its work to address the recommendations of the Ocean Commission.

Mr. SAXTON. Mr. Speaker, I rise today in support of H.R. 5450--the National Oceanic and Atmospheric Administration Act.

During the more than 20 years I have been in Congress, I have made it a priority to promote the protection of our oceans and effective conservation and management of our living marine resources. From protecting coastal wetlands to cleaning up our estuaries to promoting sustainable fisheries to preventing ocean pollution--all have been priorities during my tenure in Congress. We have accomplished a great deal but, as highlighted by the more than 200 recommendations contained in the U.S. Commission on Ocean Policy report, much remains to be done.

NOAA was created by an Executive Order in 1970, but has never been formally authorized. Both the U.S. and Pew Ocean Commissions argued strongly for an organic statute for NOAA. A comprehensive organic act will significantly strengthen the agency by providing a clear mandate from Congress to the nation's lead civilian agency for oceans and atmosphere.

An organic statute is needed to codify and strengthen NOAA and thereby enhance its mission, improve its structure, and better enable it to carry out existing and new responsibilities in a manner that is consistent with ecosystem-based management.

H.R. 5450 represents real progress toward strengthening NOAA and is an important first step in developing the comprehensive mandate NOAA requires.

I look forward to working with Chairman **EHLERS** and colleagues to develop the additional provisions needed to incorporate guidance on fishery management, coastal zone management, ocean mapping and charting, and other resources-related issues. Such provisions are essential if NOAA is to effectively carry out the host of ocean-related activities essential to our nation's economic and environmental interests. Nevertheless, the bill in its current form represents a welcome effort to address a major hurdle that impedes the federal government's ability to effectively govern our oceans, coasts, and Great Lakes.

Passage of H.R. 5450 will send a clear signal that the health and productivity of our nation's oceans are a priority to the U.S. House of Representatives. I commend Chairman *Ehlers* for his leadership on this issue and I urge my colleagues to support H.R. 5450.

Mr. CALVERT. Mr. Speaker, I want to commend Mr. *Ehlers* and his Subcommittee for its excellent oversight of the National Oceanic and Atmospheric Administration, NOAA, Within the Department of Commerce. The agency was established originally as a part of the Department of Commerce by Executive Order in 1970. NOAA has operated under Executive Order for 36 years now. However, with no legislative ``organic act'' NOAA

was restrained from taking a real leadership role in national oceanic and atmospheric policy.

This legislation sets up guidelines and oversight of programs as any authorizing legislation should do for a Federal agency. NOAA now will: have a defined leadership structure and organization; defined missions and authorities; provide strategic plans to the Congress; and be able preserve current NOAA rules and regulations within its legal structure.

I realize that the legislation has been 2 years in the making and that the other body has yet to act, but this is exactly what an authorizing committee ought to be doing exercising its oversight powers. I commend Chairman *Ehlers*, and Ranking Democrat *Wu* your persistence in pursuing the goal of passing the legislation.

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Mr. EHLERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. *Ehlers*) that the House suspend the rules and pass the bill, H.R. 5450, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.